

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

JERRY LEON DEES, JR.,

Plaintiff,

Vs.

HYUNDAI MOTOR MANUFACTURING  
ALABAMA, LLC, and HYUNDAI  
MOTOR AMERICA, INC.,

Defendants.

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**CASE NO.  
2:07-cv-00306-MHT-CSC**

**PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO EXTEND DEADLINES  
AND TO AMEND SCHEDULING ORDER**

Comes now the Plaintiff, JERRY LEON DEES, JR. (Dees), and files the following response to Defendants' Motion to Extend Deadlines and to Amend Scheduling Order (Doc. 42), stating as follows:

1. Plaintiff did respond to Defendants' request to consider an extension to the motion to file dispositive motions, and did so prior to Defendants filing its motion. See Exhibit A.

2. As noted in Plaintiff's response, Plaintiff does not object to the extension of the deadline to file dispositive motions to December 14, 2007, provided that the current trial setting is not disturbed.

WHEREFORE, for the foregoing reasons, Dees does not object to the extension of the dispositive motion deadline to December 14, 2007.

s/ Jeffrey R. Sport  
Jeffrey R. Sport (SPORJ5390)

Vincent F. Kilborn, III (KILBV4484)  
David A. McDonald (MCDOD5329)  
W. Perry Hall (HALLW9043)

OF COUNSEL:

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**Attorneys for Plaintiff**

**CERTIFICATE OF SERVICE**

I do hereby certify that I have on the 26<sup>th</sup> day of October, 2007, electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

J. Trent Scofield, Esq.  
T. Scott Kelly, Esq.  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
One Federal Place, Suite 1000  
1819 Fifth Avenue North  
Birmingham, AL 35203-2118

Matthew K. Johnson  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
P.O. Box 2757  
Greenville, SC 29602

s/ Jeffrey R. Sport  
COUNSEL

# EXHIBIT A

To

PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO EXTEND  
DEADLINES AND TO AMEND SCHEDULING ORDER

CASE NO.  
2:07-cv-00306-MHT-CSC

**KILBORN  
ROEBUCK &  
MCDONALD**  
ATTORNEYS AT LAW

VINCENT F. KILBORN, III

M. LLOYD ROEBUCK

DAVID A. MCDONALD

W. PERRY HALL

JEFFREY R. SPORT

October 25, 2007

Via Fax and U.S. Mail

Matthew K. Johnson, Esquire  
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
P.O. Box 2757  
Greenville, SC 29602

Re: *Dees v. Hyundai Motor Manufacturing Alabama, LLC, et al.*

Dear Matt:

As promised via e-mail yesterday, this letter addresses several points of recent electronic discussion.

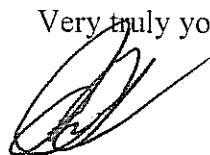
First, and as I previously stated in my letter of October 19<sup>th</sup>, with regard to your objections regarding the 30(b)(6) deposition topics and 30(b)(5) document requests, we strongly disagree with each and every one of your objections. These topics are entirely relevant and, per Judge Thompson's previous order, are due to be discovered. Our topics go directly to the alter ego and mere instrumentality allegations, and the documents requested are relevant to that issue.

Next, please find attached an amended notice of deposition for the HMA 30(b)(6) deposition for Friday, November 9<sup>th</sup> in California. I have also included amended deposition notices for Wendy Warner and HMMA beginning Thursday, November 15<sup>th</sup>. I have yet to receive any word back from you regarding our proposal of Tuesday, November 20<sup>th</sup> for Mr. Dees for deposition, assuming we get the first three done. I have also not yet heard from you regarding our request to immediately follow Mr. Dees' deposition with the five additional depositions that we have already noticed.

Lastly, and again as I have previously requested, with respect to the duces tecum document requests you do not object to (if any), please forward those documents to us as soon as possible so that we may prepare for the deposition.

With best regards, I remain

Very truly yours,



JEFFREY R. SPORT

JRS/jrs  
w/ enc.